

C/A No.: 4:14-cv-04352-BHH-TER

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USDC Exhibit #

State Court Exhibit # 46

Affidavit of Hunt

BBT vs CB Hunt, et al: CASE NO: 2013-CP-26-2528

Exhibit # 46

Affidavit of Hunt—submitted to the USDC in lawsuit # 3 on 3/6/2013¹

FILED
HOBBS COUNTY
2014 JUL 15 PM 3:50
MELANIE HUGGINS-WARD
CLERK OF COURT

¹ BBT did not object to this affidavit. BBT did not appeal the final order of the USDC at exhibit # 43. The order of the USDC at exhibit # 43 is the law of the case. This matter can not be relitigated and requires affirmance. *Transp. Ins. Co. & Flagstar Corp. v. S.C. Second Injury Fund*, 389 S.C. 422, 431, 699 S.E.2d 687, 691-692 (2010); *Judy v. Martin*, 381 S.C. 455, 458, 674 S.E.2d 151, 153 (2009) and *Floyd v. Floyd*, 365 S.C. 56, 615 S.E.2d 465, 473-478 (S.C.App. 2005).

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

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)	
)	
CINDY B. HUNT,)	
Plaintiff,)	c/a: 4:12-cv-02216-MGL-TER
vs.)	
Branch Banking & Trust Company,)	
Defendant)	
)	
)	

This affidavit is supported by all pleadings at c/a 4:09-cv-2151-JMC-TER and appeal; all pleadings at c/a 4:11-cv-00870-MGL-TER; all pleadings at c/a 4:12-cv-02216-MGL-TER.

AFFIDAVIT OF CINDY B. HUNT

PERSONALLY APPEARED BEFORE ME, Cindy B. Hunt, who after being duly sworn and deposed, states as follows:

1. The matters contained herein are based upon my personal knowledge.
2. I am an attorney licensed in the State of South Carolina.
3. For the Record: Before filing Doc. # 105-1 in c/a 4:09-cv-2151-JMC-TER the Plaintiff sent an email to Licata in 1/2011 offering to settle this matter. The response from the Defendants was that the only thing that the Plaintiff was going to get was a Rule 11 violation.
4. On or about May 19, 2008 (during FDIC proceeding) I closed three accounts at BB&T: savings, "POD trust" and IOLTA. I was the trustee/fiduciary of record for two of these accounts: "POD trust" and IOLTA. I was forced to close these accounts because of suspected identity theft where I am required to avoid even the appearance of impropriety. I paid a monthly fee for the associated POD account benefits.
5. Defendant to pay the face value of the Coastal Banker Gold benefits and inconvenience in relocating accounts. (See Doc. # 2-10: \$160,000 plus)
6. Settlement to other victims to include but is not limited to Davis, Sherman, Allen and SC Bar foundation. These parties may be brought in through the Tying and RICO statutes at c/a 4:11-cv-00870-MGL-TER.

7. The Plaintiff has been unable to sit for the Patent Bar exam because of the constant and continuing threat of a Rule 11 violation. (See attached PTO Bar Exam application at page 2 paragraphs 15-22 and USC 2009 Transcript for the School of Electrical Engineering¹ and prior to going to law school the Plaintiff was employed as an aerospace engineer for 10 years helping to put man on the moon).
 - a. Line 7 (wages, salaries, tips, etc.) of the Plaintiff's 1040 US Individual Income Tax Return for tax years 2008, 2009, 2010 and 2011 is zero dollars for income. The Plaintiff has not completed the 2012 return yet but it will also be zero dollars. The Plaintiff has not worked since this matter got started in 1/2008. The Plaintiff requests loss of future income where the Plaintiff just turned 56 yoa with a life expectancy as per SC Code 19-1-150 of 27.41 years. The average Patent Attorney annual salary as of 2008 was $\$287,000.00 \times 27.41 = \$7,866,670.00$, plus of loss future income.
8. Actual and compensatory damages, disgorgement of profits and restitution damages; Legal interest, Prejudgment interest, Post Judgment interest.
9. Statutory damages, consequential damages, general damages, special damages, actual damages and punitive (to include fines avoided) damages with legal, prejudgment and post judgment interest.
10. Constructive and Resulting trusts with tracing with legal, prejudgment and post judgment interest.
11. Damages for mental anguish and emotional distress with legal, prejudgment and post judgment interest; and repair credit record at CRA (See attached Experian CRA report).
12. Defendant to pay to the Plaintiff all monies paid on the current mortgage² with legal interest, prejudgment and post judgment interest and punitive damages. (to date about \$90,000.)
13. Mark mortgage title paid in full.
14. Defendant to pay to the Plaintiff the amount of the 2006 CD with legal, prejudgment and post judgment interest. (See Doc. # 2-9)
15. Defendant to pay to the Plaintiff the setoff monies with legal prejudgment, pre and post judgment interest. (See Doc. #s 2-5 and 3-16)
16. Defendant to pay to the Plaintiff the life amount of monies deposited in the regular checking account, savings account and POD trust with legal prejudgment, pre and post judgment interest. (See paragraph 19 at Doc. # 1-1: deposits about \$1 million plus. Need discovery.)
17. Defendant to pay to the Plaintiff the life amount of monies deposited in IOLTA account with legal prejudgment, pre and post judgment interest. (Deposits about \$3 million plus. Need discovery.)
18. Defendant to pay to the Plaintiff the original loan amount of all of the Plaintiff's authorized loans with legal, prejudgment and post judgment interest. (See Doc. # 2-10)³

¹ Judge Rogers should check his phone records for a call to his office from the Plaintiff re the withdrawal of the Plaintiff's then attorney in c/a 4:09-cv-2151-JMC-TER in late October/ early November of 2009 where I stated that I was an electrical engineering student at USC preparing to sit for the Patent Bar and could attend the hearing in Florence only within the limits of my class schedule where mid-term exams were approaching. Also, see the Plaintiff's enclosed transcript from USC for the Fall of 2009.

² The Defendant sold the Plaintiff's mortgages to Fannie Mae/Freddie Mack.

³ This customer profile is missing some loans. I would need discovery to complete the list.

19. Defendant to pay to the Plaintiff the original loan amount of all of the unauthorized loans in the Plaintiff customer profile, including the Davis mortgage with legal, prejudgment and post judgment interest. (See Doc. # 14-2 thru 15-7)⁴
20. Defendant to pay all costs and expenses, including all attorney fees (past, present and future) to include the Plaintiff, an attorney, and other attorneys pursuant to SC Ann. 62-7-1001(b); SC Ann. 62-7-1004; unclean hands (unauthorized practice of law (two accounts), aiding and abetting the unauthorized practice of law (two accounts)), etc. for this entire matter including the FDIC proceeding. (See affidavit at Doc. # 4-1 and this affidavit)⁵
21. Defendant to pay all costs and expenses, including all attorney fees (past, present and future) to include the Plaintiff, an attorney, and other attorneys for this entire matter including the FDIC proceeding. (See affidavit at Doc. # 4-1 and this affidavit)⁶
22. The attorney fees prior to 2/10/2011 were \$1,328,000 where the Plaintiff has already paid \$8,000.00 of these fees. (See affidavit at Doc. # 4-1)
23. Attorney fees since February 10, 2011: The Plaintiff, an attorney, since 2/2011 has incurred the following attorney fees in this matter involving her IOLTA:
 - a. Work done by the Plaintiff herself in this matter involving her IOLTA has billed \$1,337,500.00 as follows \$250.00 per hour x 50 hours week x 107 weeks.
24. The total attorney fees at this writing are: \$2,665,500.00.
25. And see relief sought at c/a 4:09-cv-2151-JMC-TER at Doc. # 105-1; c/a 4:11-cv-00870-MGL-TER at Doc. # 9; and c/a 4:12-cv-02216-MGL-TER.

Cindy B. Hunt
Signature: Cindy B. Hunt

Sworn to and subscribed before me this
6th Day of March 2013

Shawna Williams
 Notary Public State of South Carolina
 My Commission expires ~~My~~ **Commission Expires**
August 2, 2020

⁴ Without Discovery I have no way of knowing if there are more people. Need Discovery.

⁵ Costs and fees: \$3405.00 (\$1305 (filing fees) + \$2100 (service of process, postage and copies))

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ACADEMIC TRANSCRIPT

This transcript is printed on special security paper with a gamet background, the seal of the University of South Carolina at Columbia and the signature of the University Registrar, Barbara Rogers Blaney. This is an official sealed instrument; a raised seal is not required. The student is in good academic standing unless otherwise noted.

Barbara Rogers Blaney
University Registrar

CONTROL NO: 923417 DATE ISSUED: 12/21/2009

STUDENT NAME:

CINDY B HUNT

PAGE 2

STUDENT NUMBER: BIRTH DATE:

USC-00-5778 01/16

UNDERGRADUATE RECORD (CONT.)

*** ISSUED TO STUDENT IN A SEALED ENVELOPE ***

COURSE TITLE	DEPT	CRSE	GRD	HC	HE	GH	GP	GPA
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SPRING 1979 SCIENCE & MATH

SESSION DATES 01/10/1979 - 05/12/1979

VOCABULARY AND SEMANTICS ENGL 452	A	3.0	3.0	3.0	12.00			
ORD DIFF EQUATIONS MATH 520	B	3.0	3.0	3.0	9.00			
MODERN GEOMETRY MATH 532	C+	3.0	3.0	3.0	7.50			
WOMEN IN SOCIETY UNIV 112M	A	3.0	3.0	3.0	12.00			
SEMESTER TOTALS:		12.0	12.0	12.0	40.50	3.375		

SUMMER I 2009 ENGINEERING&COMPUTING

SESSION DATES 06/01/2009 - 06/30/2009

ESSENTIALS OF PHYSICS I PHYS 211	B+	3.0	3.0	3.0	10.50			
ESSENTIALS PHYSICS I LAB PHYS 211L	A	1.0	1.0	1.0	4.00			
SEMESTER TOTALS:		4.0	4.0	4.0	14.50	3.625		

SUMMER II 2009 ENGINEERING&COMPUTING

SESSION DATES 07/07/2009 - 08/05/2009

ESSENTIALS OF PHYSICS II PHYS 212	B+	3.0	3.0	3.0	10.50			
ESSENTIALS PHYS II LAB PHYS 212L	A	1.0	1.0	1.0	4.00			
SEMESTER TOTALS:		4.0	4.0	4.0	14.50	3.625		

FALL 2009 ENGINEERING&COMPUTING

SESSION DATES 08/20/2009 - 12/04/2009

STATICS ECIV 200	A	3.0	3.0	3.0	12.00			
ELECTRICAL SCIENCE ELCT 102	B	3.0	3.0	3.0	9.00			
CIRCUITS ELCT 221	B+	3.0	3.0	3.0	10.50			
SEMESTER TOTALS:		9.0	9.0	9.0	31.50	3.500		

UNDERGRADUATE TOTALS	HC	HE	GH	GP	GPA
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CUMULATIVE U.S.C.	140.00	140.00	137.00	388.50	2.836
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*** END OF UNDERGRADUATE RECORD ***

*** SEE GRADUATE RECORD ***

*** SEE LAW RECORD ***

USPTO-158 (Rev. January 23, 2008)

United States Patent and Trademark Office

THIS SPACE FOR UNITED STATES PATENT
AND TRADEMARK OFFICE USE ONLY**APPLICATION FOR REGISTRATION TO PRACTICE
BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. This collection of information is required by 37 CFR Sections 11.5 through 11.11 information is used by the public to register to practice before the United States Patent and Trademark Office (USPTO) and by the USPTO to determine the eligibility of the applicant to register to practice before the USPTO. Information on this form will be treated confidentially to the extent allowed under the Privacy Act and the Freedom of Information Act (FOIA). Response to this information collection is voluntary; however, if you do not provide requested information, the USPTO may not admit you to the registration examination or register you to practice before the USPTO. This form is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the information on the application to the USPTO. Any comments on the amount of time you require to complete this form or suggestions for reducing this burden, should be sent to the Chief Information Officer, United States Patent and Trademark Office. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.**

ID TO: Mail Stop OED, United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450

Legal Name	First Name	Middle Name	Last Name	<input type="checkbox"/> Reasonable Accommodations Request Attached
Name shown on Government ID				
ADDRESS	Employer, corporation, law firm, U. S. Government agency Indicate if student or unemployed			
ADDRESS (street, building, etc., etc.)				
CITY	1e) STATE	1f) ZIP CODE	1g) DAYTIME Area Code & Phone Number	
CITIZENSHIP (country)		3. DATE OF BIRTH (month, day, year)	4. PLACE OF BIRTH (City, State, Country)	
OR ALIENS ONLY →	5. VISA CLASSIFICATION	6. PERMANENT RESIDENT OF THE UNITED STATES <input type="checkbox"/> YES Attach copy of both sides of documentation of permanent residence <input type="checkbox"/> NO	7. ALIEN REGISTRATION NUMBER	

You are required to update the foregoing information promptly upon any change. Select and check all the following that apply. Applicants should carefully review the General Requirements Bulletin for detailed instructions on completing this application.

a. **Application Fee:** (Please refer to the General Requirements Bulletin and 37 CFR § 11.7)
☐ Enclosed is the non-refundable \$40.00 application fee set forth in 37 CFR § 1.21(a)(1)(i).
OR
☐ Enclosed is the \$1,600.00 fee set forth in 37 CFR § 1.21(a)(10).

b. **Registration Examination Fee:**
☐ I will utilize a commercial test administration service. Enclosed is the Government registration examination fee of \$200.00 for test administration by a commercial entity. [37 CFR § 1.21 (a)(1)(ii)(A)]
☐ I request USPTO test administration. Enclosed is the Government registration examination fee of \$450.00 for test administration by the USPTO. [37 CFR § 1.21(a)(1)(ii)(B)]

9. **Waiver of Examination:** I am a former USPTO employee and satisfy the requirements of:
☐ 37 CFR 11.7(d)(1). Enclosed is the applicable fee under either 37 CFR § 1.21(a)(1)(i) OR 37 CFR § 1.21(a)(10)
☐ 37 CFR 11.7(d)(2). Enclosed is the applicable fee under either 37 CFR § 1.21(a)(1)(i) OR 37 CFR § 1.21(a)(10)
☐ 37 CFR 11.7(d)(3). Enclosed is the applicable fee under either 37 CFR § 1.21(a)(1)(i) OR 37 CFR § 1.21(a)(10)

10. ☐ **Passed Examination:** I passed an examination on _____. Enclosed is the required registration fee of \$100.00 [37 CFR § 1.21(a)(2)] and a completed data sheet.

11. ☐ **Reinstatement:** I am applying for reinstatement, or as a former government employee, for a change from inactive to active status. Enclosed is any required fee under 37 CFR § 1.21.

12. ☐ I previously applied for admission to the registration examination or requested the Office of Enrollment and Discipline to evaluate my scientific and technical qualifications.
Date of Previous Application: _____ Name on Application, if different: _____

13. ☐ I was previously registered to practice in patent cases before the United States Patent and Trademark Office as an attorney or agent. If "YES", my Registration No. is _____

14. ☐ **BAR MEMBERSHIP.** I am a member in good standing of the bar of the highest court of a State or Territory of the United States. A list of all said courts and corresponding bar membership number(s) follows: _____

BACKGROUND INFORMATION: Candor and truthfulness are significant elements of fitness relevant to practice before the United States Patent and Trademark Office. You should, therefore, provide the Office of Enrollment and Discipline with all available information, however unfavorable, even if its relevance is in doubt, with regard to the questions asked below. For each question answered "YES," provide a detailed statement setting forth all relevant facts and dates along with verified copies of relevant documents. **Your responses must be updated as necessary, prior to your registration.** Any documents, evidence or proofs previously filed in a prior application need not be resubmitted unless your response to a question must be changed. **Failure to disclose the requested information may result in denial of registration or in disciplinary proceedings under 37 CFR § 10.22 should you become registered.**

- ☐ YES ☐ NO 15. Have any charges ever been preferred against you in connection with your practice before any Federal or State court, or municipal bureau, commission, office or agency of any kind or character?
- ☐ YES ☐ NO 16. Have you ever been arrested, charged, or held by Federal, State or other law enforcement authorities for any violation of any Federal or State law, or any county or municipal law, regulation or ordinance? (Do not include any misdemeanor before your 16th birthday or traffic violations for which the fine was \$100 or less.)
- ☐ YES ☐ NO 17. Have you ever been disciplined, reprimanded, suspended, expelled or asked to resign or withdraw from any educational institution, or have you resigned or withdrawn from any such institution in time to avoid discipline, reprimand, suspension, expulsion or request to resign for conduct involving dishonesty, fraud, misrepresentation, or deceit?
- ☐ YES ☐ NO 18. Have you ever been disciplined, reprimanded, or suspended in any job for conduct involving dishonesty, fraud, misrepresentation, deceit, or any violation of Federal or State laws or regulations?
- ☐ YES ☐ NO 19. Have you ever been fired or discharged from any job, or have been asked to resign or quit for conduct involving dishonesty, fraud, misrepresentation, deceit, or any violation of Federal or State laws or regulations?
- ☐ YES ☐ NO 20. Have you ever resigned or quit a job when you were under investigation or inquiry for conduct which could have been considered as involving dishonesty, fraud, misrepresentation, deceit, or violation of Federal or State laws or regulations, or after receiving notice or been advised of possible investigation, inquiry, or disciplinary action for such conduct?
- ☐ YES ☐ NO 21. Have you ever been discharged from military service under conditions "other than honorable," or by reason of the sentence of a Court Martial or being dropped from the rolls?
- ☐ YES ☐ NO 22. Are you delinquent on any State or Federal debt? (Include delinquencies arising from Federal or State taxes, loans, overpayment of benefits, and other debts to the U.S. Government and defaults on Federally guaranteed or insured loans such as student and home mortgage loans.)

3. EDUCATION: List all degrees conferred in the blocks below. Attach to this application any required documentation to complete your application for registration. Refer to the General Requirements Bulletin. If you applied previously for an exam, please see the General Requirements Bulletin section titled "REAPPLYING TO TAKE THE EXAMINATION" for what you must submit.

Degree Received as indicated on Transcript	College	Date Received	Major Subject as indicated on Transcript

pon the basis of the foregoing information and any attached documents, I hereby apply for registration to practice in patent cases before the United States Patent and Trademark Office. I certify that each and every statement or representation in this application is true and correct. *(A willfully false statement or certification is a criminal offense and is punishable by law 18 U.S.C. § 1001.)*

Signature of Applicant







Date

DY B HUNT
rt As Of: 2/17/2013

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Credit Summary



ection gives you a broad look at your current and past credit status. Here you'll find the total number of open and closed accounts in your name, the total
se on those accounts, and delinquencies.

	Experian	Equifax	TransUnion
 Real Estate	Count 3		
 Delinquent Account(s)	Balance \$137,166.00		
	Current 0		
	Delinquent 1		
	Other 2		
Revolving	Count 12		
 Current Account(s)	Balance \$931.00		
	Current 10		
	Delinquent 0		
	Other 2		
Installments	Count 5		
 Current Account(s)	Balance \$0.00		
	Current 5		
	Delinquent 0		
	Other 0		
Other	Count 0		
 Other	Balance \$0.00		
	Current 0		
	Delinquent 0		
	Other 0		
Collections	Count 1		
 Current Account(s)	Balance \$54.00		
	Current 0		
	Delinquent 0		
	Other 0		

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	Experian	Equifax	TransUnion
 All Accounts	Count 21		
 Delinquent Account(s)	Balance \$138,151.00		
	Current 15		
	Delinquent 1		
	Other 4		

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